

The Honorable John H. Chun

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROCKIME DAVIS and MYHANG LE,

Plaintiffs,

V.

THEO CHOCOLATE, INC., a Washington  
company.

Defendant.

NO. 2:23-cv-01096-JHC

**STIPULATED MOTION AND  
ORDER EXTENDING DEADLINE  
TO RESPOND TO COMPLAINT**

**NOTE ON MOTION CALENDAR:  
October 31, 2023**

Consistent with Local Civil Rules 7(j) and 10(g), Plaintiffs Rockime Davis and MyHang Le, individually and on behalf of all others similarly situated (“Plaintiffs”), and Defendant Theo Chocolate, Inc. (“Defendant”) hereby respectfully submit this stipulated motion for an extension of time for Defendant to answer, move or otherwise respond to Plaintiffs’ Class Action Complaint, or request such other relief the Court may deem appropriate. In support of their Motion, the Parties agree as follows:

1. Plaintiffs filed their Class Action Complaint on July 20, 2023. ECF No. 1.

2. The Parties had discussed the possibility of an early resolution of this action, including the exchange of information to allow the Parties to evaluate the strengths and weaknesses of Plaintiffs' claims and Defendant's defenses.

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1       3. Upon stipulated motion by the Parties (ECF No. 8), the Court entered its  
2 September 11, 2023 Order extending Defendant's time to answer, move, or otherwise respond to  
3 Plaintiff's Class Action Complaint to November 1, 2023. ECF No. 9.

4       4. Henceforth, the Parties engaged in preliminary settlement discussions, but have  
5 not yet reached a resolution.

6       5. Due to the considerable time and effort spent attempting to resolve this matter  
7 short of further litigation, the Parties have agreed to further extend the time for Defendant to  
8 answer, move, or otherwise respond to Plaintiffs' Class Action Complaint, or request such other  
9 relief the Court may deem appropriate.

10      6. As such, in light of the above and subject to Court approval, the Parties stipulate  
11 and agree that Defendant shall have an extension of time up to and including November 20, 2023  
12 to answer, move, or otherwise respond to Plaintiffs' Class Action Complaint, or request such  
13 other relief the Court may deem appropriate.

14      IT IS SO STIPULATED.  
15      DATED this 31st day of October, 2023.

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48      *Attorneys for Defendant Theo  
49      Chocolate, Inc.*

## ORDER

Pursuant to the Parties' Stipulated Motion, it is so ORDERED. Defendant shall answer, move, or otherwise respond to Plaintiffs' Class Action Complaint, or request such other relief the Court may deem appropriate, on or before November 20, 2023.

Dated this 31st day of October, 2023.

*John H. Chun*  
HONORABLE JOHN H. CHUN  
United States District Judge

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